

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-FIRST LEGISLATURE

SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 13, 2012

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9 a.m.

Roll call showed all members present except Senator Andreason, absent and formally excused by the Chair; and Senators Brackett, Darrington, and Nuxoll, absent and excused.

Prayer was offered by Senator Dan Johnson.

The Pledge of Allegiance was led by Marc Christensen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 12, 2012, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 132

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING ALL IDAHOANS TO USE THE YEAR OF MARCH 4, 2012, TO MARCH 3, 2013, TO BE A YEAR OF PREPARATION FOR THE IDAHO TERRITORIAL SESQUICENTENNIAL AND TO PLAN COMMEMORATION ACTIVITIES THAT WILL FOSTER A MORE MEANINGFUL EXPLORATION OF OUR TERRITORIAL ROOTS AND CREATE PERMANENT LEGACIES OF IDAHO'S TERRITORIAL SESQUICENTENNIAL.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, President Abraham Lincoln signed the act creating Idaho Territory on March 4, 1863; and

WHEREAS, March 4, 2013, marks the 150th anniversary of the creation of Idaho Territory; and

WHEREAS, President Lincoln's establishment of Idaho Territory came at a time of tremendous transformation for Idaho and our nation, when, within a remarkable nine-month period

during the Civil War, he signed into law the Pacific Railway Act, issued the Emancipation Proclamation, and established the Idaho Territory, all three acts having a vital impact on the development of Idaho and the nation; and

WHEREAS, the territorial period in Idaho lasted for 27 years, until July 3, 1890, during which time the geographical boundaries and the political and economic foundations for the future State of Idaho were established; and

WHEREAS, the territorial period witnessed some of Idaho's most significant historical events that still impact the lives of Idahoans today, including the establishment of Boise as the capital city, the creation of public school districts, and the adoption of the state constitution; and

WHEREAS, it is proper at the time of the 150th anniversary of the creation of the territory that Idahoans appreciate the territorial roots of contemporary Idaho and create lasting legacies for the future; and

WHEREAS, Idahoans today are proud of their storied history and demonstrate their continued spirit and perseverance in creating Idaho's future.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that we encourage Idahoans to use the year of March 4, 2012, to March 3, 2013, to be a year of preparation for the Idaho Territorial Sesquicentennial and to plan commemoration activities that will foster a more meaningful exploration of our territorial roots and create permanent legacies of Idaho's Territorial Sesquicentennial.

[SCR 132](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 13, 2012

The JUDICIARY AND RULES Committee reports that [S 1386](#), [S 1387](#), and [SCR 131](#) have been correctly printed.

DARRINGTON, Chairman

[S 1386](#) and [S 1387](#) were referred to the State Affairs Committee.

[SCR 131](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 12, 2012

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1357](#), [S 1295](#), [S 1339](#), [S 1358](#), [S 1362](#), [H 497](#), [H 457](#), [H 511](#), as amended, and [H 450](#) have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 12, 2012

The JUDICIARY AND RULES Committee reports that [S 1357](#), as amended, [S 1295](#), as amended, [S 1339](#), as amended, [S 1358](#), as amended, and [S 1362](#), as amended, have been correctly engrossed.

DARRINGTON, Chairman

[S 1357](#), as amended, [S 1295](#), as amended, [S 1339](#), as amended, [S 1358](#), as amended, and [S 1362](#), as amended, were filed for first reading.

March 12, 2012

The JUDICIARY AND RULES Committee reports that Enrolled [S 1333](#) and [S 1371](#) were delivered to the Office of the Governor at 11:02 a.m., March 12, 2012.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 12, 2012

The FINANCE Committee reports out [H 637](#), [H 641](#), [H 642](#), [H 643](#), and [H 644](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 637](#), [H 641](#), [H 642](#), [H 643](#), and [H 644](#) were filed for second reading.

March 12, 2012

The JUDICIARY AND RULES Committee reports out [H 448](#), [H 532](#), and [H 595](#) with the recommendation that they do pass.

DARRINGTON, Chairman

[H 448](#), [H 532](#), and [H 595](#) were filed for second reading.

March 12, 2012

The JUDICIARY AND RULES Committee reports out [S 1380](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DARRINGTON, Chairman

There being no objection, [S 1380](#) was referred to the Fourteenth Order of Business, General Calendar.

March 12, 2012

The HEALTH AND WELFARE Committee reports out [H 522](#), as amended, with the recommendation that it do pass.

LODGE, Chairman

[H 522](#), as amended, was filed for second reading.

March 12, 2012

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Chris Korell to the Outfitters and Guides Licensing Board, term to expire April 20, 2014.

PEARCE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 13, 2012

The EDUCATION Committee reports out [H 386](#), as amended, and [H 588](#) with the recommendation that they do pass.

GOEDDE, Chairman

[H 386](#), as amended, and [H 588](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 12, 2012

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Julie D. DeLorenzo of Boise, Idaho, was appointed as a member of the Idaho Transportation Board to serve a term commencing March 12, 2012, and expiring January 30, 2015.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Transportation Committee.

Senator Brackett was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 12, 2012

Dear Mr. President:

I transmit herewith [H 632](#), [HCR 45](#), [H 603](#), [H 626](#), and [H 633](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 632](#), [HCR 45](#), [H 603](#), [H 626](#), and [H 633](#) were filed for first reading.

March 12, 2012

Dear Mr. President:

I transmit herewith Enrolled [HCR 37](#), [H 379](#), [H 460](#), [H 462](#), [H 463](#), [H 526](#), [H 600](#), [H 601](#), and [H 602](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 37](#), [H 379](#), [H 460](#), [H 462](#), [H 463](#), [H 526](#), [H 600](#), [H 601](#), and [H 602](#) and ordered them returned to the House.

March 12, 2012

Dear Mr. President:

I return herewith [S 1232](#), [S 1253](#), [S 1265](#), and [S 1266](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1232](#), [S 1253](#), [S 1265](#), and [S 1266](#) were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1388

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2012; APPROPRIATING MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; AND DECLARING AN EMERGENCY.

S 1389

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2012; APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; APPROPRIATING AND TRANSFERRING MONEYS; PROVIDING LEGISLATIVE INTENT WITH REGARD TO CERTAIN WATER RIGHT FILING FEES; AND DECLARING AN EMERGENCY.

S 1390

**BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO CERTIFICATES OF INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1850, IDAHO CODE, TO PROVIDE DEFINITIONS, TO PROVIDE THAT NO PERSON MAY PREPARE, ISSUE OR KNOWINGLY REQUEST THE ISSUANCE OF A CERTIFICATE OF INSURANCE UNLESS THE FORM HAS BEEN FILED WITH THE DIRECTOR, TO PROVIDE THAT NO PERSON MAY ALTER OR MODIFY A CERTIFICATE OF INSURANCE UNLESS THE ALTERATION OR MODIFICATION HAS BEEN FILED WITH THE DIRECTOR, TO ESTABLISH PROVISIONS RELATING TO THE DIRECTOR DISAPPROVING THE USE OF A FORM OR WITHDRAWING APPROVAL OF A FORM, TO PROVIDE THAT EACH CERTIFICATE OF INSURANCE MUST CONTAIN A STATEMENT, TO ESTABLISH THAT PROVISIONS RELATING TO CERTAIN FORMS PROMULGATED AND FILED WITH THE DIRECTOR ARE NOT REQUIRED TO BE REFILED BY INDIVIDUAL INSURERS, TO ESTABLISH PROVISIONS RELATING TO FALSE OR MISLEADING INFORMATION, TO ESTABLISH PROVISIONS RELATING TO CERTAIN DOCUMENTS THAT PURPORT TO AFFIRMATIVELY OR NEGATIVELY ALTER, AMEND OR EXTEND CERTAIN COVERAGE, TO ESTABLISH PROVISIONS RELATING TO APPLICATION OF LAW, TO PROVIDE THAT A CERTIFICATE OF INSURANCE IS NOT A POLICY OF INSURANCE, TO PROVIDE THAT A CERTIFICATE OF INSURANCE SHALL NOT CONFER CERTAIN RIGHTS, TO PROVIDE THAT A

CERTIFICATE OF INSURANCE SHALL NOT CONTAIN CERTAIN REFERENCES, TO PROVIDE FOR NOTICE, TO PROVIDE THAT ANY CERTIFICATE OF INSURANCE OR OTHER DOCUMENT PREPARED, ISSUED OR REQUESTED IN VIOLATION OF THIS SECTION SHALL BE NULL AND VOID AND OF NO FORCE AND EFFECT, TO PROVIDE FOR A PENALTY, TO PROVIDE THAT THE DIRECTOR SHALL HAVE THE POWER TO EXAMINE AND INVESTIGATE CERTAIN ACTIVITIES AND IMPOSE PENALTIES OR REMEDIES AND TO PROVIDE FOR RULES; AMENDING SECTION 41-1823, IDAHO CODE, TO REVISE PROVISIONS RELATING TO BINDERS OR OTHER CONTRACTS FOR TEMPORARY INSURANCE AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING SEVERABILITY.

S 1391

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE STATE LIQUOR DIVISION FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS.

S 1392

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR REGULATORY BOARDS FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS.

[S 1388](#), [S 1389](#), [S 1390](#), [S 1391](#), and [S 1392](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 497](#), as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the first time at length and filed for second reading.

[H 457](#), as amended in the Senate, by Resources and Conservation Committee, was read the first time at length and filed for second reading.

[H 511](#), as amended, as amended in the Senate, by Transportation and Defense Committee, was read the first time at length and filed for second reading.

[H 450](#), as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the first time at length and filed for second reading.

President Little assumed the Chair.

[S 1357](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1295](#), as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[S 1339](#), as amended, and [S 1358](#), as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

[S 1362](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[H 632](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 45](#), by Education Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[H 603](#), [H 626](#), and [H 633](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 490](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1373](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 636](#) and [H 638](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1384](#), by Finance Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

Senators Darrington and Nuxoll were recorded present at this order of business.

At this time Senator Davis arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President appointed Senator McKenzie, Chairman and Senators Fulcher, and LeFavour to escort The Honorable Raul Labrador, United States Congressman, into the Senate Chamber where he addressed the members of the Senate.

The President thanked Congressman Labrador for his remarks and Senators McKenzie, Fulcher, and LeFavour escorted him from the Chamber, and the Committee was discharged.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On motion by Senator Davis, seconded by Senator Malepeai, by voice vote, the Senate recessed at 12:30 p.m. until the hour of 4:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Andreason, absent and formally excused by the Chair; and Senators Corder and LeFavour, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

[S 1360](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 32.

NAYS—None.

Absent and excused—Andreason, Corder, LeFavour. Total - 3.

Total - 35.

Whereupon the President declared [S 1360](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Brackett, granted by unanimous consent, [S 1282](#) was referred to the Fourteenth Order of Business, General Calendar.

Senator LeFavour was recorded present at this order of business.

[S 1376](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Andreason, Corder. Total - 2.

Total - 35.

Whereupon the President declared [S 1376](#) passed, title was approved, and the bill ordered transmitted to the House.

Senator Corder was recorded present at this order of business.

[S 1377](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [S 1377](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1330](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toryanski arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [S 1330](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1366](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [S 1366](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1370](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [S 1370](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1381](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk, Winder. Total - 32.

NAYS—Nuxoll, Vick. Total - 2.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [S 1381](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1382](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [S 1382](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1369](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippets arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [S 1369](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [H 512](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

[H 540](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 540](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 459](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 459](#) passed, title was approved, and the bill ordered returned to the House.

[H 461](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 461](#) passed, title was approved, and the bill ordered returned to the House.

[H 525](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 525](#) passed, title was approved, and the bill ordered returned to the House.

[H 543](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 543](#) passed, title was approved, and the bill ordered returned to the House.

[H 403](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator LeFavour arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bilyeu, Bock, Brackett, Cameron, Darrington, Davis, Goedde, Heider, Hill, Johnson, LeFavour, Lodge, Malepeai, McKague, Mortimer, Schmidt, Stennett, Toryanski, Werk. Total - 19.

NAYS–Bair, Broadsword, Corder, Fulcher, Hammond, Keough, McKenzie, Nuxoll, Pearce, Rice, Siddoway, Smyser, Tippetts, Vick, Winder. Total - 15.

Absent and excused–Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 403](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Third Reading Calendar was reordered placing **H 464** at the head of the calendar, followed by Senate non Finance Committee bills, followed by Senate Finance Committee bills, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Malepeai, by voice vote, the Senate adjourned at 5:40 p.m. until the hour of 10 a.m., Wednesday, March 14, 2012.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary